

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
JACKSON DIVISION**

AMERICAN BUILDINGS COMPANY

PLAINTIFF

v.

CAUSE NO.: 3:06cv287 TSL-JCS

MICHAEL E. EARWOOD

DEFENDANT

AGREED ORDER OF DISMISSAL

THIS DAY, THIS CAUSE came on for hearing on the motion *ore tenus* of the Plaintiff American Buildings Company and Defendant Michael E. Earwood to dismiss the claim of American Buildings Company with prejudice and to dismiss with prejudice the counterclaim of Michael Earwood, and the parties having consented thereto, and the Court having reviewed this matter and being of the opinion that this motion is well taken and should be granted,

IT IS, THEREFORE, ORDERED AND ADJUDGED that the claim of the Plaintiff American Buildings Company is hereby dismissed, as is the counterclaim of Michael Earwood, each with prejudice and with each party to pay his or its costs.

THIS the 1st day of October, 2007.

/s/Tom S. Lee
UNITED STATES DISTRICT COURT JUDGE

AGREED TO AND APPROVED BY:

s/ J. LERAY McNAMARA
J. LERAY McNAMARA

s/ MICHAEL E. EARWOOD
MICHAEL E. EARWOOD